



**SHREWSBURY CONSERVATION COMMISSION
SHREWSBURY, MASSACHUSETTS**

MINUTES

Regular Meeting: January 17, 2006 - 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

Present: John J. Ostrosky, Chairman
Robert P. Jacques, Vice-Chairman
Dorbert A. Thomas, Clerk
Patricia M. Banks
Kenneth F. Polito

Also Present: Brad Stone, Agent

Mr. Ostrosky opened the meeting at 7:00 P.M.

1. Review and Approve Minutes

The Conservation Commission approved the Minutes as submitted, as follows:

- 1) September 20, 2005 – with the change under Page 5, under 285-1371 for 455 Hartford Turnpike, Lot 1, Line 1, take out "and Joe Farrell"
- 2) October 18, 2005 – approved as submitted with Mrs. Thomas and Mr. Polito abstaining, as they were not in attendance at this meeting

2. Signed bills.

3. Meetings and Hearings – 7:05 P.M.

Mr. Ostrosky announced that the following hearings are postponed to the February 21, 2006 meeting:

- 1) *R.I.F.L. Realty Trust, 167 Memorial Drive*
- 2) *Palm Meadow Estates*
- 3) *Flint Pond Development, LLC, 180-280 Hartford Turnpike*

285-1357 Continued – Public Hearing regarding the Notice of Intent filed by R.I.F.L. Realty trust for the construction of a commercial building and site work for additional development at 167 Memorial Drive

Mr. Ostrosky stated this hearing is postponed to February 21, 2006.

285-1352 Continued – Public Hearing regarding the Notice of Intent filed by Anthony Russell for the construction of a subdivision roadway at Palm Meadow Estates

Mr. Ostrosky stated this hearing is postponed to February 21, 2006.

285-1362 Continued – Public Hearing regarding the Notice of Intent filed by Flint Pond Development, LLC for the construction of an over-55 residential development with a commercial component on approximately 68 acres at 180-228 Hartford Pike

Mr. Ostrosky stated this hearing is postponed to February 21, 2006.

285-1371 Continued – Public Hearing regarding the Notice of Intent filed by Flagg Palmer Realty trust for the construction of a commercial building at 455 Hartford Turnpike, Lot 1

Attending the hearing was Bob Murphy, the engineer. He said he met with the Building Inspector, and Mr. Alarie outlined what he is looking for, for access to this site.

Mr. Murphy reviewed the changes to the plan. He said they are proposing a temporary paved driveway outside the buffer zone and outside where the road will permanently be, while the permanent road is being built. He said they will get a permanent easement for the driveway.

Mr. Ostrosky commented that the Commission will be looking at the temporary road as the permanent road, and conditions will reflect this. Mr. Murphy said Mr. Alarie is looking at it the same way.

Mr. Jacques commented about the labeling of the drainage, swales and detention basins.

Mr. Polito asked what is going to prevent the water from going into the road. Mr. Murphy said there is run-off now and when they do the detention basin, it should stop some of it.

Mr. Jacques said he is looking for a cross-section of the temporary driveway and swales.

Mr. Stone confirmed that all of Mr. Jacques' concerns plus the concern of the easement, are the concerns:

- 1) show flow;
- 2) sizing of detention basins;
- 3) incorporate structures within easement on the plan;
- 4) drainage of roadway

Commission agreed that they are going to have to review and see the final plan.

Mr. Ostrosky continued the hearing to February 21, 2006.

285-1380 Public Hearing regarding the Notice of Intent filed by John Boyd for the construction of a swimming pool at 34 Blackthorn Road

Attending the hearing was Kevin Quinn – an engineer from Quinn Engineering.

Mr. Quinn said they want to build a pool, with retaining wall, and associated grading. He said there will be no work in the wetland area, but there will be some work within the buffer area. He said the edge of the pool is about 10-1/2 feet from the buffer.

Mr. Quinn also noted to the Commission there was a shed which had been constructed within the wetland area by the former owner – before the Boyd's.

Mr. Jacques said he felt the shed should come out and/or be moved. He commented that there should also be a permanent protection barrier to protect further damage to the resource area.

Mr. Quinn asked that he be allowed to have a wetland botanist re-look at the area.

Mr. Polito asked if the pool could be turned. Mr. Quinn said there are grade issues and the concern that the yard is well used. Mr. Polito said he felt there was plenty of yard and resuggested turning the pool.

Mr. Stone commented that in the past, the Commission has allowed the homeowner to come in with a replication plan for the wetland area being used.

Mr. Ostrosky continued the hearing to February 21, 2006.

285-** Public Hearing regarding the Notice of Intent filed by Alan Govatsos for the construction of a fieldstone patio and retaining wall at 16 Bay Road**

A representative for Joanne Teachout, from Connorstone Engineering, attended the hearing. He said this filing is to replace the block wall with a fieldstone wall and construct a fieldstone patio. He said all work is proposed to be done during late winter months to prevent erosion, but that haybales will be used as well.

Mr. Ostrosky officially closed the hearing.

285-1381 Public Hearing regarding the Notice of Intent filed by Cutler Brown Development Co., LLP for the realignment of Nelson Point Road and the construction of a new roadway and utilities for an 18-Lot Subdivision at Nelson Point Road

Attending the hearing was Chris Cutler and Attorney David Brown – the developers, and John Bensley – an engineer from Beals and Thomas. Attorney Brown showed the modified plan to relocate the roadway, and said the rest of the plan remains the same.

Mr. Bensley listed the following plan details:

- 1) there is no wetland fill now;
- 2) relocated utilities, including water, along the roadway;
- 3) cutting vegetation back at entrance/exit to increase sight distance even more; and said this would be just low branch cutting; he commented it may require continued maintenance and need to be in the Order of Conditions as a condition.
- 4) there will be sidewalks on both sides of the roadway;
- 5) catch basin installed;
- 6) vortech system used;
- 7) use of 2 best management basins;
- 8) basins will provide Stormwater Management;
- 9) proposing walking trail along east side of project;
- 10) will use erosion control along down gradient area of site.

Mr. Ostrosky expressed concern for house placements and also commented that septic could be a shared system.

The Commission felt strongly that there is an issue with building the houses within their 30-foot guideline area. They also expressed concern for the septic and said they would like to see sewer tie-in. Attorney Brown said DEP has put this restriction on the project because the land percs.

Kevin Thibodeau, 27 Nelson Point Road, stated that he was opposed to the septic system plan. He commented that when he moved into this area, the Town wouldn't allow septic and is surprised to see septic proposed.

Larry Flynn, 9 Nelson Point Road, agreed with the comments about septic systems, and said he also would like to see them tie into sewer.

Dottie Flynn, expressed concern for the placement of houses on Lots 12, 13, 8, and 7; she expressed concern for an increased water problem with the change in the area.

Bob Armstrong, 19 Old Faith Road, submitted a video tape to each member of the wildlife at the site.

Rick Bousquet, 20 Nelson Point Road, commented that the abutters are really depending on the Town Boards to "watchdog" this project and said he felt the property was being maximized.

Dottie Flynn expressed concern of who would maintain the common area. Attorney Brown explained how the "association" would work.

Tracy Flynn asked how long the sidewalk would be. Mr. Bensley showed this on the plan.

Tracy Flynn commented on the amount of houses and stated she also feels this area is being maximized.

Mr. Polito commented that some of these lots seem to maximize the area with the septic, house, and then the grading.

Attorney Brown asked for continuance to come back with design of houses and after their meeting with the Planning Board.

Mr. Jacques made mention to respond to Planning Board with a comment letter. The Commission voted to send this letter.

Mr. Jacques also suggested they make comment to DEP for sewer and include this in comments in the letter to the Planning Board. The Commission voted and agreed to comment to DEP and Planning Board.

Mr. Ostrosky continued the hearing to February 21, 2006.

285-** Public Meeting regarding the Request for Determination of Applicability filed by John Bresnahan to determine the location of wetlands boundaries and determine if the area is subject to jurisdiction under the Wetlands Protection Act at 41 Surrey Lane**

Attending the hearing was Glenn Krevosky, the wetlands engineer. He said the calculations show there isn't a water problem in this area. He said he checked this area after this past storm and did not see an issue. He said this area doesn't hold water.

Mr. Stone said he has reviewed and concurs with Mr. Krevosky, that it is non-jurisdictional.

The Commission voted to issue a negative determination with regards to the property at 41 Surrey Lane.

Mr. Ostrosky officially closed the hearing.

285-** Public Hearing regarding the Abbreviated Notice of Resource Area Delineation filed by the Phellco Corporation, c/o Bohler Engineering for property at 757-789 Boston Turnpike**

Attending the hearing were Jim Bernadino – an engineer from Bohler Engineering, and Steven Eriksen from Norse Environmental Services, Inc.

Mr. Eriksen explained the area. Mr. Stone said he agreed with the line and there is substantial amount of wetland on the north side of the property.

George Miller, 791 Boston Turnpike, asked what is being proposed. He said he just put in a new septic system, and commented that there is a high water table and is concerned of abutting property being severely affected if something is built there.

Orren B. McKnight, 237-29 South Street, said the water is high in his back yard.

Scott Huber, 237-41 South Street, expressed concern about the quality of life for whatever goes on this property.

Irene Moody, 237-9 South Street, asked about endangered species. Mr. Bernadino said this is not an issue at this phase and explained the process.

The Commission voted to agree with the delineation of this area as presented.

Mr. Ostrosky officially closed the hearing.

4. New Business

a. Discussed/Signed Draft Orders of Conditions and requests for Determination of Applicability

285-1362	180-228 Hartford Pike – Postponed to February 21, 2006
285-1371	455 Hartford Turnpike – Continued to February 21, 2006
285-1380	34 Blackthorn Road – Continued to February 21, 2006
285-****	16 Bay Road – Conditionally approved
RDA	41 Surrey Lane – Negative determination
285-1381	Nelson Point Road – Continued to February 21, 2006
285-****	757-789 Boston Turnpike – Negative determination

5. Old Business

a. Discussed/Signed Certificates of Compliance

285-709 18 Amherst Road

6. Correspondence

The meeting adjourned at 9:15 P.M.

Respectfully Submitted,

Annette W. Rebovich